

Appendix T. Environmental Coordination concerning Emergency Management's Flood Fight Efforts

1. **Back Ground.** Emergency flood fight measures were conducted during May and June 2006 and included emergency levee repairs to the left and right bank levees down stream of the Highway 95 Bridge in Bonners Ferry. The levees were severely damaged during the initial high Kootenai river flows in mid-May and a complete levee failure was imminent. Approximately 1000 LF of levee was repaired using 3,766 cubic yards (cy) of spall material and 11,016 cy of class III riprap. With a Kootenai river stage of 1762' at the Bonners Ferry gage, a levee breach would have resulted in major flooding of the North Bonners Ferry community. The flood waters would have cut off access to the City's sewage treatment facility damaged the above ground sewer line possibly resulting in raw sewage infiltration, and damaged utilities, roads and local homes protected by this levee. Homes, roads, and utilities directly behind the levee would have been inundated with 6 to 8 feet of flood water.

2. **Environmental Compliance.**

a. National Environmental Policy Act: This emergency action occurred pursuant to Public Law 84-99. The Corps determined that if the levee was not repaired immediately, an imminent threat of loss of private and/or public property existed. Therefore, completing a draft Environmental Assessment (EA) and soliciting public comment was infeasible. The Corps will comply with NEPA by preparing an after-the-fact EA. The Corps determined, pursuant to Section 102 of NEPA and 40 CFR 1500.6, that full compliance with NEPA -- while still fulfilling the agency's emergency levee rehabilitation authorities and responsibilities under Public Law 84-99 -- was impossible. Therefore, the agency will comply with NEPA "to the fullest extent possible" under the circumstances. The Corps will evaluate the public comments received in response to a draft EA and finalize an EA, with execution and promulgation of a FONSI promptly thereafter. All comments received in response to the draft EA will be considered in the development of the Final EA. Comments received will also be considered to determine whether any levee rehabilitation activities should be modified or retrofitted.

b. Clean Water Act: According to the United States Code, 33 U.S.C. § 1344(f), levee repair is an activity not prohibited by or otherwise subject to regulation under Section 404 of the Clean Water Act. Therefore, a section 401 Water Quality Certification is not required. No wetlands were impacted from the project

c. Endangered Species Act: The Corps will prepare an after-the-fact Biological Evaluation (BE) consistent with the 50 CFR 402.05, Emergencies. Listed species that occur in the vicinity of Bonners Ferry Idaho include white sturgeon, gray wolf, bald eagle, Canada lynx, bull trout, grizzly bear, Spalding's catchfly, and water howellia.

d. Magnuson-Stevens Act: N/A

e. Marine Mammal Protection Act: The action will have no adverse effects on marine mammals.

f. State Historic Preservation Act: All procedures in NWSOM 500-1-1 Appendix D Protection of Historic Properties were followed. No cultural, Native American, or archeological resources are known to occur in the areas that were disturbed for the proposed project. Areas where the work will occur have been disturbed at least once previously during the initial construction of the levee. No excavation was conducted during this project. The Corps will coordinate with SHPO and the local Tribe pursuant to Section 106 or the NHPA

3. **Outstanding Requirements of the Sponsor.**

The Sponsor is required to either remove the recently constructed flood control structures and return the areas of impact to pre-construction conditions or obtain required permits to allow these structures to become permanent.

4. **Documents on file in the Environmental Resources Branch.**

All correspondence records with the Federal, State, and local agencies are on file in Seattle District.

5. **Regulatory Branch.** N/A